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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,864	06/20/2003	James D. McGlothlin	13054-207A	6651

32841 7590 04/22/2005

BAHRET & ASSOCIATES  
320 NORTH MERIDIAN STREET  
SUITE 510  
INDIANAPOLIS, IN 46204

EXAMINER

POLYZOS, FAYE S

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

47c

# Office Action Summary

Application No.

10/600,864

Applicant(s)

MCGLOTHLIN ET AL.

Examiner

Faye Polyzos

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-7 is/are allowed.
- 6) ☒ Claim(s) 1- 2 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 30 August 2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Monsen, III et al* (US 6,282,410 B1) in view of *Walsh et al* ("Computer-Aided Video Exposure Monitoring," *Applied Occupational and Environmental Hygiene*, Vol. 15, No. 1, 2000).

Regarding claim 1, *Monsen* discloses a real-time video exposure monitoring system, comprising a radiation detector; a video camera; a radio modem having a transmitter (20) and receiver (14) the transmitter having an input connected to the radiation detector (See Generally Figs. 1-2 and col. 3, lines 18-28, 54-63 and col. 4, lines 42-67). *Monsen* does not disclose of a computer coupled to the video camera although the illustration of control center (210) is suggestive. *Walsh* discloses of real-time video exposure monitoring system comprising a computer coupled to the receiver and the video camera and programmed to display video images from the camera (16) simultaneously with data from the radiation detector (Fig. 1 and pgs. 48-50). *Walsh* teaches the data from the instrument can be represented as an image on the video, for example a bar whose height is proportional to the concentration of airborne substance and

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various graphic images can be produced using a computerized system (See page 48, col. 2). Therefore, it would have been obvious to a person of ordinary skill in the art to modify the apparatus suggested by *Monsen* so as to incorporate a computer to the real-time video exposure monitoring system as disclosed supra by *Walsh* to provide for a more versatile apparatus.

Regarding claim 2, *Monsen* discloses a real-time exposure monitoring system comprising a video camera (16) hardwired to the portable housing (12) by video signal receiver cables (col. 4, lines 23-40). *Monsen* does not disclose of a video interface. *Walsh* discloses video interface having separate housing and connected between the video camera and the computer (pg. 48-49). *Walsh* teaches digital technology in real-time instruments enable better interfacing between the instrument and computer for processing of data and can also facilitate calibration of the system and improve reliability of transmission of data (pg. 48). Therefore, it would have been obvious to a person of ordinary skill in the art to modify the apparatus suggested by *Monsen* so as to incorporate a video interface to the real-time video exposure monitoring system as disclosed supra by *Walsh* to provide for a more versatile apparatus.

3. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Monsen, III et al* (US 6,282,410 B1) in view of *Abbott, III et al* (US 2002/0032689 A1).

Regarding claim 8, *Monsen* discloses a method of assessing radiation exposure through the use of video imaging. *Monsen* does not disclose measuring radiation with a Geiger-Mueller meter. *Abbott* discloses of a method

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of measuring radiation in an area of a workplace with a Geiger-Mueller meter (counter); obtaining video images of the area as the measuring step is performed; supplying radiation data from the Geiger-Mueller meter to a computer; supplying the video images to the computer; processing the radiation data and video images in the computer; and displaying the radiation data video images simultaneously on a display screen ([0006]-[0007], [0028]-[0030] and [0073]). *Abbott* teaches Geiger-Mueller meters can provide information related to a wide variety of user and environment factors including location, orientation, speed, direction, distance, and proximity to other locations (e.g. GPS) ([0073]). Therefore, it would have been obvious to a person of ordinary skill in the art to modify the apparatus suggested by *Monsen* so as to incorporate measuring steps performed by a Geiger-Mueller meter as disclosed supra by *Abbott* to provide for a more versatile apparatus.

Regarding claims 9-10, *Abbott* discloses a method comprising converting radiation readings from the Geiger-Mueller meter to digital data; and transmitting the digital data to the computer over wireless link and detecting sensitivity levels from the Geiger-Mueller meter and supplying the level to the computer through wireless link ([0027], [0040] and [0073]).

***Allowable Subject Matter***

4. Claims 3-7 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 3, the prior art does not disclose or fairly suggest a real-time video radiation exposure monitoring system comprising

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wireless transmitting means connected to a A/D converter to transmit digital data to a computer, programmed to simultaneously display video images from a camera with data detected from a Geiger-Mueller tube.

6. The remaining claims 4-7 are allowable based on their dependency.
7. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye Polyzos whose telephone number is 571-272-2447. The examiner can normally be reached on Monday thru Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FP



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